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OCT 08 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ming-Hui WEI et al.

Art Unit: 1652

Serial No.: 10/681,223

Examiner: M. Monshipouri

Filed: October 9, 2003

Atty. Docket: CL001305DIV2

For: ISOLATED HUMAN KINASE PROTEINS,
NUCLEIC ACID MOLECULES ENCODING
HUMAN KINASE PROTEINS, AND USES
THEREOF

*File
purpose
only*

PRELIMINARY AMENDMENT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

By Facsimile

Sir:

This is in response to an Office Action mailed on September 8, 2004 from Examiner Monshipouri in which a restriction requirement was issued for the above-referenced application.

Applicants hereby elect claim group III (claims 4-6, 8-11, and 22-23, drawn to isolated nucleic acid molecules, vectors, host cells, etc.) for examination and have canceled claims corresponding to the non-elected groups I-II and IV-VIII.

Please amend the application as follows:

FEE VALUE ACCOUNTABILITY	
DEPOSIT ACCOUNT NO.	
50	0970
FEE CODE	VALUE FURNISHED
1202	594
1203	700

(33)

10/20/2004 DWILLI6/ 00000003 100870 10000000

01 FC1202
02 FC1203

REMARKS

By way of the above amendments, claims 1-23 have been canceled, and claims 24-37 have been added. As such, claims 24-37 are presently pending.

The newly added claims add no new subject matter and their entry is respectfully requested.

Applicants respectfully assert that the claims are in condition for examination on the merits.

Respectfully submitted,

CELERA GENOMICS

By: 

Justin D. Karjala
Reg. No. 43,704

Date: October 8, 2004

Celera Genomics Corporation
45 West Gude Drive, C2-4#20
Rockville, MD 20850
Tel: 240-453-3812
Fax: 240-453-3084

Application No.: 10/681,223

Examiner: Maryam MONSHIPOURI

Filed: October 9, 2003

Group Art Unit: 1652

Inventor: Ming-Hui WEI

Attorney Docket No.: CL001305DIV-II

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above-identified application.

☐ No additional fee is required.

The fee has been calculated as shown below:

CLAIMS AS AMENDED						
	TOTAL CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	56	MINUS	23	= 33	x \$18	\$ 594.00
INDEP. CLAIMS	6	MINUS	6	= 0	x \$88	\$ 0.00
Fee for Multiple Dependent claims= \$300						\$300.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT—						\$ 894.00

- ☐ Verified Statement claiming small entity status is enclosed, if not filed previously.
- ☐ A check in the amount of \$_____ is enclosed.
- ☒ Charge the amount of \$ 894.00 to Deposit Account No. 50-0970 to cover the additional claims fee. A duplicate copy of this sheet is enclosed.

- ☐ Any prior general authorization to charge an issue fee under 37 C.F.R. § 1.18 to Deposit Account No. 50-0970 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 50-0970. A duplicate copy of this paper is enclosed.
- ☐ Charge the amount of \$ _ to Deposit Account No. 50-0970 to cover the Extension fee for response within ____ months. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of \$ ____ to Deposit Account No. 50-0970 to cover the Information Disclosure Statement fee. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

CELERA GENOMICS

By: 

Justin D. Karjala
Reg. No. 43,704

Date: October 8, 2004

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